



Entered on Docket
October 02, 2009

A handwritten signature in cursive script, reading "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

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The Bank of New York Trust Company, National Association, as Successor in Interest to JPMorgan Chase Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC3 09-73601

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Darrel G. Brown

Debtor.

BK-S-09-23506-bam

Date: 9/22/09
Time: 9:30am

Chapter 7


ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor The Bank of New York Trust Company, National Association, as Successor in Interest to JPMorgan Chase Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC3, its assignees and/or successors in interest, of the subject property, generally described as 6465 Brook Cottage Ln., Las Vegas, NV 89122.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

DATED this ____ day of _____ 2009

Submitted by:
WILDE & ASSOCIATES

By  #10235
GREGORY L. WILDE, ESQ.
Attorney for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED / DISAPPROVED

David M. Crosby, Esq.
711 S. 8th Street
Las Vegas, NV 89101
Attorney for Debtor(s)

APPROVED / DISAPPROVED

Timothy S. Cory
8831 West Sahara Ave.
Las Vegas, NV 89117
Chapter 7 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

23 Submitted by:

24 /s/ Gregory L. Wilde, Esq.

25 Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor